

ADVISORY

FROM THE COMMITTEE ON WAYS AND MEANS

FOR IMMEDIATE RELEASE

CONTACT: (202) 225-3625

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Chairman Brady Announces Hearing on the Status of the Affordable Care Act Implementation

House Committee on Ways and Means Subcommittee on Health Chairman Kevin Brady (R-TX) today announced that the Subcommittee will hold a hearing on the Administration's continued efforts to implement and administer the Affordable Care Act (ACA). The Committee will hear testimony from Andy Slavitt, Deputy Principal Administrator of the Centers for Medicare & Medicaid Services (CMS) at the U.S. Department of Health and Human Services (HHS), and John Koskinen, Commissioner of the Internal Revenue Service. CMS is the federal agency that oversees the operation of the Exchanges through the Center for Consumer Information and Insurance Oversight (CCIIO), and the IRS oversees the distribution and verification of the subsidies in the ACA. **The hearing will take place on Wednesday, September 10, 2014, in 1100 Longworth House Office Building, beginning at 10:00 A.M.**

In view of the limited time available to hear from the witnesses, oral testimony at this hearing will be from the invited witness only. However, any individual or organization not scheduled for an appearance may submit a written statement for consideration by the Committee and for inclusion in the printed record of the hearing.

BACKGROUND:

As the ACA's Exchanges approach the second enrollment period, beginning on November 15, 2014, CMS and the IRS continue to implement new policies to address ongoing problems including: the delay of the employer mandate; the back log in resolving eligibility inconsistencies; the failure to complete the back-end systems for the Exchanges; and the numerous exemptions to the individual mandate. Many of these challenges were identified at a Health Subcommittee hearing on December 4, 2013, and remain unresolved.

The ACA provides for an income-based premium tax credit for certain individuals who purchase health insurance through the new Exchanges. The accuracy and availability of these tax credits, which began with coverage on January 1, 2014, depends on multiple pieces of data, including an individual's income and eligibility for affordable employer-sponsored insurance. The Administration's 2013 decision to delay employer-reporting

requirements continues to complicate the government's ability to verify an offer of "affordable employer-sponsored insurance."

The accuracy of these tax credits, which are paid directly to insurance companies, cannot be guaranteed without accurate income and insurance information. As a result of the failure to provide complete and accurate information, the government may overpay and be forced to rely on the IRS to recover overly generous tax credits from individuals during the 2015 tax-filing season.

On January 1, 2014, Health and Human Services Secretary Kathleen Sebelius certified the ability of HHS to verify the income and eligibility of enrollees on the Exchanges and healthcare.gov, as she was required to do so by law. The Continuing Appropriations Act, 2014 required that "prior to making such credits and reductions available, the Secretary shall certify to the Congress that the Exchanges verify such eligibility consistent with the requirements of such Act." Despite the Secretary's certification, a June 2014 HHS Office of Inspector General report noted that CMS had yet to verify nearly 1 million income inconsistencies potentially putting at risk millions in taxpayer dollars through inappropriate subsidies¹.

In announcing the hearing, Chairman Brady stated, **"This White House continues to rewrite the President's health care law because the law is unworkable. The growing number of American families losing the health insurance they have and like is not something that can be glossed over. The White House must come clean with the American public and tell us how they will fix this mess before the beginning of Open Enrollment in November. More delay and confusion will only result in more mistrust and more families losing access to the health insurance that works for them and their families. The Centers for Medicaid and Medicare Services and the IRS need to do more to protect American families and taxpayers."**

FOCUS OF THE HEARING:

The hearing will focus on the status of the Obama Administration's implementation and oversight of the Affordable Care Act.

DETAILS FOR SUBMISSION OF WRITTEN COMMENTS:

Please Note: Any person(s) and/or organization(s) wishing to submit for the hearing record must follow the appropriate link on the hearing page of the Committee website and complete the informational forms. From the Committee homepage, <http://waysandmeans.house.gov>, select "Hearings." Select the hearing for which you would like to submit, and click on the link entitled, "Click here to provide a submission for the record." Once you have followed the online instructions, submit all requested information. ATTACH your submission as a Word document, in compliance with the formatting requirements listed below, **by the close of business on Wednesday,**

¹ <http://oig.hhs.gov/oei/reports/oei-01-14-00180.pdf>

September 24, 2014. Finally, please note that due to the change in House mail policy, the U.S. Capitol Police will refuse sealed-package deliveries to all House Office Buildings. For questions, or if you encounter technical problems, please call (202) 225-1721 or (202) 225-3625.

FORMATTING REQUIREMENTS:

The Committee relies on electronic submissions for printing the official hearing record. As always, submissions will be included in the record according to the discretion of the Committee. The Committee will not alter the content of your submission, but we reserve the right to format it according to our guidelines. Any submission provided to the Committee by a witness, any supplementary materials submitted for the printed record, and any written comments in response to a request for written comments must conform to the guidelines listed below. Any submission or supplementary item not in compliance with these guidelines will not be printed, but will be maintained in the Committee files for review and use by the Committee.

1. All submissions and supplementary materials must be provided in Word format and **MUST NOT** exceed a total of 10 pages, including attachments. Witnesses and submitters are advised that the Committee relies on electronic submissions for printing the official hearing record.
2. Copies of whole documents submitted as exhibit material will not be accepted for printing. Instead, exhibit material should be referenced and quoted or paraphrased. All exhibit material not meeting these specifications will be maintained in the Committee files for review and use by the Committee.
3. All submissions must include a list of all clients, persons and/or organizations on whose behalf the witness appears. A supplemental sheet must accompany each submission listing the name, company, address, telephone, and fax numbers of each witness.

The Committee seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202-225-1721 or 202-226-3411 TTD/TTY in advance of the event (four business days notice is requested). Questions with regard to special accommodation needs in general (including availability of Committee materials in alternative formats) may be directed to the Committee as noted above.

Note: All Committee advisories and news releases are available on the World Wide Web at <http://www.waysandmeans.house.gov/>.